IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

| STEPHEN SAMPLES, |) |
|-----------------------------|----------------------|
| Plaintiff, |) |
| vs. |) Case No: 3 11 0025 |
| SMITH HAYNES & WATSON, LLC, |) Judge Trauger |
| Defendant |) |

ORDER OF DISMISSAL WITH PREJUDICE

The Court finds that Plaintiff and Defendant have agreed to a joint stipulation for dismissal with prejudice of the claims of Plaintiff against the Defendant in this action. The Court further finds that pursuant to the Joint Stipulation for Dismissal with Prejudice entered into by the respective parties, each party is to bear their own costs, expenses and attorneys fees.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the claims of Plaintiff, Stephen Samples, against the Defendant, Smith Haynes & Watson, LLC, be dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall bear their own costs, expenses and attorneys fees.

IT IS SO ORDERED.

Judge Trauger

United States District Court Judge

Submitted by:

/s/ K. David Waddell

K. David Waddell (B.P.R. No. 009280) BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC 211 Commerce Street, Suite 800 Nashville, TN 37201 (615) 726-5543 (615) 744-5543 (Fax)

ATTORNEYS FOR DEFENDANT SMITH HAYNES & WATSON, LLC

/s/ Paul K. Guibao

Paul K. Guibao WEISBERG & MEYERS, LLC 5722 S. Flamingo Rd., #656 Cooper City, FL 33330

ATTORNEYS FOR PLAINTIFF STEPHEN SAMPLES